

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

REXFORD C. PUCKETT,

Plaintiff,

:

Case No. 3:10-cv-433

-vs-

District Judge Timothy S. Black
Magistrate Judge Michael R. Merz

:

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

REPORT AND RECOMMENDATIONS

This case was brought *pro se* by Plaintiff Rexford Puckett to obtain judicial review of Defendant's denial of his application for Social Security benefits. Under the Fifth Amended Magistrate Judges' General Order No. 11, all Social Security plaintiffs are required to file a statement of specific errors setting forth their grounds for relief. Plaintiff was advised of this requirement when he filed his case. When he had not filed the statement of specific errors within the time allowed, the Court ordered him, on April 5, 2011, to show cause why his case should not be dismissed for want of prosecution. Instead, he moved for and was granted an extension of time until May 15, 2011, to file the statement (See Doc. No. 9). That date has now also passed and no statement has been filed.

It is therefore respectfully recommended that this case be dismissed without prejudice for want of prosecution.

May 17, 2011.

s/ **Michael R. Merz**
United States Magistrate Judge

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(e), this period is automatically extended to seventeen days because this Report is being served by one of the methods of service listed in Fed. R. Civ. P. 5(b)(2)(B), (C), or (D) and may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F. 2d 947 (6th Cir., 1981); *Thomas v. Arn*, 474 U.S. 140, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985).